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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MEGAN SCHMITT, DEANA
REILLY, CAROL ORLOWSKY, and
STEPHANIE MILLER BRUN,
individually and on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

YOUNIQUE, LLC,

Defendant.

Case No. 8:17-cv-01397-JVS-JDE

**STIPULATION TO MODIFY
SCHEDULING ORDER AND ORDER
ON JURY TRIAL**

The Hon. James V. Selna
Santa Ana, Courtroom 10C

Complaint Filed: 8/17/17

Trial Date: 2/19/19

I. INTRODUCTION

The Parties to this action, through their undersigned counsel, submit the following stipulation to modify the scheduling order entered by this Court on

1 December 11, 2017 (Dkt. 56 & 56-1) and the Order re: Jury Trial (Dkt. 57). The
2 Parties are requesting this extension in order to permit the parties to continue
3 discovery and schedule and complete certain out-of-state depositions, followed by a
4 good faith effort at private mediation.

5 The Parties submit this request to promote orderly case management. For the
6 following reasons, the Parties respectfully request this Court enter an order
7 consistent with the Parties' stipulation.

8 **II. RECITALS**

9 1. Whereas, Plaintiff Megan Schmitt personally served her Class Action
10 Complaint on August 17, 2017;

11 2. Whereas, consistent with the Stipulation filed on September 26, 2017
12 [Dkt. 39], Plaintiff Schmitt and three additional named Plaintiffs filed their First
13 Amended Class Action Complaint on October 13, 2017;

14 3. Whereas the Court held a status conference on December 11, 2017,
15 where the Court set the following dates:

16 Last date to file motion for class certification – June 1, 2018

17 Last date to complete private mediation – June 29, 2018

18 Initial Disclosure of Experts Not Later Than – August 1, 2018

19 Hearing on Plaintiffs' motion for class certification – August 20, 2018

20 Rebuttal Disclosure of Experts Not Later Than – October 1, 2018

21 Expert Discovery Cut-Off – December 15, 2018

22 Law and Motion Cut-Off – January 7, 2019 (with motions to be filed
23 and served not later than December 4, 2018) (Dkt. 56 & 56-1);

24 4. Whereas following the status conference, the Court entered an Order
25 for Jury Trial Setting the following dates:

26 Discovery cut-off – June 1, 2018

27 Pre-trial conference – February 4, 2019, at 11:00 a.m.

Jury Trial – February 19, 2019, at 8:30 a.m.

5. Whereas the Parties have worked diligently to exchange and respond to written discovery;

6. Whereas, on April 18, 2018, Defendant Younique, LLC served deposition notices to take the depositions of Plaintiffs Megan Schmitt, Deana Reilly, Carol Orlowsky and Stephanie Miller Brun on May 1, 2018 and May 7, 2018, May 8, 2018 and May 9, 2018, respectively;

7. Whereas, on April 27, 2018, Plaintiffs' counsel served objections to the deposition notices asserting that the Plaintiffs' depositions could not go forward due to unavailability of Plaintiffs and their counsel;

8. Whereas the Parties are currently working with each other on a deposition schedule for Plaintiffs' depositions and a third-party deposition (Lori DeBell) that takes into account all counsels' travel and trial calendars, given that several Plaintiffs and the third-party deponent reside out of state;

9. Whereas the Parties respectfully request additional time to allow them to continue working together to complete fact discovery and thereafter attend a meaningful private mediation, as previously ordered by this Court.

10. In light of the foregoing, the parties stipulate that there is GOOD CAUSE to continue certain case management deadlines and the parties mutually seek an Order from the Court modifying the case managements schedule as follows:

<i>Case Management Event:</i>	<i>Prior-Operative Date-Deadline:</i>	<i>NEW Date-Deadline:</i>
Last day to schedule to commence the depositions of Plaintiffs Megan Schmitt, Deana Reilly, Carol Orlowsky and Stephanie Miller Brun and third-party Lori DeBell, and Rule 30(b)(6) deposition of Defendant Younique, LLC	May 24, 2018	July 30, 2018

<i>Case Management Event:</i>	<i>Prior-Operative Date-Deadline:</i>	<i>NEW Date-Deadline:</i>
Last date for Plaintiffs to file motion for class certification	June 1, 2018	August 1, 2018
Last date to complete private mediation	June 29, 2018	August 31, 2018
Last date for Defendant to file opposition to motion for class certification	TBD	September 21, 2018
Last date for Plaintiffs to file reply in support of motion for class certification	TBD	October 5, 2018
Hearing on Plaintiffs' motion for class certification	August 20, 2018, at 1:30 p.m.	October 15, 2018, at 1:30 p.m.

11. Whereas Plaintiffs agree they will not seek leave to amend to identify additional named Plaintiffs.

IT IS SO STIPULATED.

Dated: May 18, 2018

NYE, PEABODY, STIRLING, HALE & MILLER, LLP

By: /s/

Jonathan D. Miller, Esq.
Alison M. Bernal, Esq.

Dated: May 18, 2018

CARLSON LYNCH SWEET
KILPELA & CARPENTER, LLP

By: /s/

Ed Kilpela, Esq.

Dated: May 18, 2018

THE SULTZER LAW GROUP P.C.

By: /s/

Adam Gonnelli, Esq.

Signatures continued on next page

1
2 Dated: May 18, 2018

WALSH, LLC

3 By: /s/
4 Bonner Walsh, Esq.

5 *Attorneys for Plaintiffs and the Class*

6
7 Dated: May 18, 2018

SHEPPARD, MULLIN, RICHTER &
HAMPTON, LLP

9 By: /s/
10 Sascha Henry, Esq.
Jonathan D. Moss, Esq.
11 Abby H. Meyer, Esq.

12 *Attorneys for Defendant, Younique, LLC*

13
14 Local Rule 5-4.3.4 Certification: I hereby attest that all other signatories
15 listed, on whose behalf this filing is submitted, concur in the filing's content and
16 have authorized this filing.

/S/

17 Alison M. Bernal
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